

1                   IN THE UNITED STATES DISTRICT COURT  
2                   FOR THE WESTERN DISTRICT OF NORTH CAROLINA

3                   CHARLOTTE DIVISION

4                   3:20-cv-00504-FDW-DSC

5 -----  
6 CPI SECURITY SYSTEMS, INC.,

7                   Plaintiff and Counterclaim Defendant,

8 v.

9 VIVINT SMART HOME, INC. f/k/a MOSIAC

10 ACQUISITION CORP.; LEGACY

11 VIVINT SMART HOME, INC. f/k/a

12 VIVINT SMART HOME, INC.,

13                   Defendants and Counterclaimants.  
14 -----

15                   VIDEO CONFERENCE VIA ZOOM

16                   30(b)6 DEPOSITION OF ERIC BRYAN SCHACHNER

17                   September 24, 2021

18                   9:56 a.m.

19                   Charlotte, North Carolina

20  
21  
22  
23 Job No. CS4821660

24 Reported by: Audra M. Smith, RPR, FCRR

25 Video by: Russ White

APPEARANCES OF COUNSEL

ON BEHALF OF THE PLAINTIFF AND COUNTERCLAIM DEFENDANT:

SHOOK, HARDY & BACON LLP

BY: ERIC BRYAN HOBBS, ESQ.

BY: CHARLES EBLEN, ESQ.

1660 17th Street, Suite 450

Denver, CO 80202

ehobbs@shb.com

SHOOK, HARDY & BACON LLP

BY: CHARLES EBLEN, ESQ.

2555 Grand Boulevard,

Kansas City, MO 64108

(816) 559-2139

ceblen@shb.com

ON BEHALF OF THE DEFENDANTS AND COUNTERCLAIM PLAINTIFFS:

GREENBERG TRAURIG LLP

BY: GREGORY HERBERT, ESQ.

450 S. Orange Ave., Suite 650

Orlando, FL 32801-3311

(407) 420-1000

herbertg@gtlaw.com

GREENBERG TRAURIG LLP

BY: STEPHEN G. ANDERSON, PH.D.

450 South Orange Avenue

Suite 650

Orlando, FL 32801

andersonst@gtlaw.com

GREENBERG TRAURIG LLP

BY: MICHAEL N. KREITZER, ESQ.

333 SE 2nd Avenue, Suite 4400

Miami, FL 33131

kreitzerm@gtlaw.com

Also Present: Paula M. Castro, Paralegal

1           Q     Do you know of whether or not CPI has  
2 conducted a valuation of the Canceled Accounts?

3           A     No, we haven't because we don't know the  
4 number. I think -- I mean, we know the number's a  
5 lot. We don't know the number. Just, I think, we  
6 don't track it, and it's a lot.

7           Q     You can't provide me with a valuation of  
8 that number as you sit here today, correct?

9           A     I can't -- that's correct, because I don't  
10 know the total number of accounts. Nobody does.  
11 Until we go out and physically talk to each one of  
12 our customers, we will never know that number.

13          Q     Okay. Let's go to the supplemental  
14 answers. On the supplemental answers, let's go to  
15 it, it's page number -- starting on page number 20  
16 of the supplemental. There's Interrogatory Number  
17 16 there, and the answer continues starting on 20  
18 and goes over to page 21.

19                   Do you see that?

20          A     I do. Let me read it.

21                   THE VIDEOGRAPHER: Mr. Herbert, this is  
22 Russ, the videographer. I need to change media  
23 files in the next five or ten minutes if we  
24 can, please. Thank you.

25